



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

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"To Enrich Lives Through Effective And Caring Service"

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November 25, 2014

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

11 November 25, 2014

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

APPOINTMENT OF EMPLOYEE RELATIONS COMMISSIONER FOR POSITION C (ALL DISTRICTS – 3 VOTES)

SUBJECT

Pursuant to the Employee Relations Ordinance, the Board is being asked to appoint a commissioner to Position C for the Employee Relations Commission (ERCOM).

IT IS RECOMMENDED THAT THE BOARD:

Consistent with Section 5.04.130 (C) of the Employee Relations Ordinance, exercise your discretion and appoint Mr. Anthony Miller to fill ERCOM Position C.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

As the Board is aware, ERCOM has not had a quorum for over a year. As a result, hundreds of requests for Arbitration and numerous charges of Unfair Labor Practices have not been processed and set for hearing, adversely affecting employee relations.

Position C of ERCOM has been vacant for almost one year. Pursuant to the Employee Relations Ordinance, the Chief Executive Office (CEO) has met with employee organizations to discuss the selection of a joint nominee to fill Position C. To date, the discussions have not resulted in an agreement on a joint nominee.

Employee organizations have been notified and advised of their ability, consistent with Section 5.04.130 (C), to submit to the Board their list of Position C nominees for consideration. To date, no such list has been tendered. As such, the Board, in your discretion and in accordance with Section

5.04.130 (C), may appoint the commissioner for Position C.

Implementation of Strategic Plan Goals

The recommended action supports the County's Strategic Plan Goal of Organizational Effectiveness and Workforce Excellence by enabling ERCOM to recommence its administration of the Employee Relations Ordinance and to carry out the County's public policy of promoting improvement in personnel management and relations between the County of Los Angeles and its employees, and to protect the public by assuring, at all times, the orderly and uninterrupted operations and services of County government.

FISCAL IMPACT/FINANCING

Actual expenditures will be determined by the number of hours commissioners spend on activities for the Employee Relations Commission.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

ERCOM is the administrative body that governs labor relations for the County. ERCOM determines appropriate bargaining units, who will represent them, and what classifications will be represented in each unit. ERCOM also decides whether or not anyone has violated the Employee Relations Ordinance, and if so, how it should be remedied.

The Board's appointment of a commissioner to Position C will establish a quorum of commissioners so ERCOM can reconvene.

Notwithstanding the Board's appointment of the commissioner for Position C, employee organizations, in accordance with Section 5.04.130 (B), retain their ability to nominate the commissioner for Position B of the ERCOM.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Appointment of Position C will cause immediate improvement of efficiency in the provision of public services.

The Honorable Board of Supervisors

11/25/2014

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', with a long horizontal line extending to the right.

WILLIAM T FUJIOKA

Chief Executive Officer

WTF:BC:JA

RM:MC:rld

Enclosures

c: Executive Office, Board of Supervisors
County Counsel
Auditor-Controller

School of Law

Academics

MEET THE FACULTY

Anthony Miller, J.D.

Professor of Law

Office: School of Law (SOL)

E-mail: anthony.miller@pepperdine.edu

- J.D., Pepperdine University, 1977
- M.A., California State University, Long Beach, 1972
- B.A., California State University, Long Beach, 1967

[SSRN Author Page](#)

[Selected Works](#)

Professor Anthony Miller has been teaching at Pepperdine University School of Law since 1977. He has taught Torts, Remedies, Constitutional Law- Individual Rights, Family Law, Community Property, Domestic Relations Dispute Resolution, Labor Law, Public Sector Labor Law, International Commercial Arbitration, and Arbitration Practice. While these courses may seem disparate, his interest in family law and labor and employment law actually go well together, both emphasizing the law that governs ordinary Americans in their most important relationships.

(More)

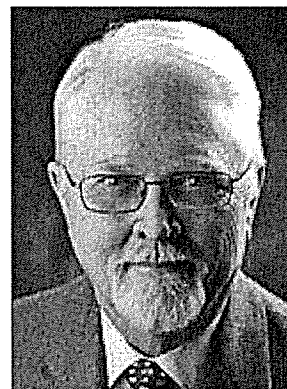
Publications

[All](#) | [Books](#) | [Book Chapters](#) | [Articles](#) | [Forthcoming](#) | [Popular Press](#)

Books

Anthony Miller, Peter M. Swisher & Helene Shapo, FAMILY LAW: CASES, MATERIALS, AND PROBLEMS (Lexis, 3d ed. 2012). WorldCat

Anthony Miller, Peter M. Swisher & Jana B. Singer, FAMILY LAW: CASES, MATERIALS, AND PROBLEMS (Matthew Bender, 2d ed. 1998).



Anthony Miller, Peter M. Swisher & William I. Weston, FAMILY LAW: CASES, MATERIALS, AND PROBLEMS (Matthew Bender 1990).

Anthony Miller & Jay Grenig, WEST'S CALIFORNIA CODE FORMS WITH PRACTICE COMMENTARIES--Government (2d ed. 1985 & Supplements).

Articles

Anthony Miller, *The Case for the Genetic Parent: Stanley, Quilloin, Caban, Lehr, and Michael H. Revisited*, 53 LOY. L. REV. 395 (2007) SSRN HeinOnline

Anthony Miller, *Baseline, Bright-line, Best Interests: A Pragmatic Approach for California to Provide Certainty in Determining Parentage*, 34 McGEORGE L. REV. 637 (2003) SSRN HeinOnline

Anthony Miller, *Foley v. Interactive Data Corp.: The California Supreme Court Takes Uncertain Steps Toward Certainty in Wrongful Discharge*, 11 WHITTIER L. REV. 595 (1989) HeinOnline

Anthony Miller, *Extending the Fairness Principles of Li and American Motorcycle: Adoption of the Uniform Comparative Fault Act*, 14 PAC. L.J. 835 (1983) HeinOnline

Anthony Miller & R. Wayne Estes, *Recent Judicial Limitations on the Right to Discharge: A California Trilogy*, 16 U.C. DAVIS L. REV. 65 (1982) HeinOnline

(Minimize Publications)



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